United States Court of Appeals

FOR THE EIGHTH CIRCUIT

Y. Mineta, being sued as The * D	ppeal from the United States istrict Court for the
Appellant, v. V. United States Coast Guard; Norman Y. Mineta, being sued as The Honorable Norman Y. Mineta, * D	
Appellant, v. V. United States Coast Guard; Norman Y. Mineta, being sued as The Honorable Norman Y. Mineta, * D * D	
v. * United States Coast Guard; Norman Y. Mineta, being sued as The Honorable Norman Y. Mineta, * D * D	
United States Coast Guard; Norman Y. Mineta, being sued as The Honorable Norman Y. Mineta, * D * D	
official capacity; Jody Breckenridge, Captain, Commanding Officer, Coast Guard Recruiting Center, in her official capacity; United States Attorney's Office, being sued as the United States Attorney's Office, Minneapolis, Minnesota; U.S. Attorney General, being sued as the United States Attorney General's Office, Washington, DC, Appellees.	istrict of Minnesota. [UNPUBLISHED]

Submitted: June 12, 2003 Filed: June 16, 2003

Before MORRIS SHEPPARD ARNOLD, BYE, and RILEY, Circuit Judges.

PER CURIAM.

Scott Nokes appeals the district court's¹ denial of his request for emergency relief enjoining a court-martial proceeding during the pendency of proceedings on his Administrative Procedures Act claim. Having carefully reviewed the record, we conclude the district court properly denied Nokes a preliminary injunction. See Schlesinger v. Councilman, 420 U.S. 738, 758 (1975) ("when a serviceman charged with crimes by military authorities can show no harm other than that attendant to resolution of his case in the military court system, the federal district courts must refrain from intervention, by way of injunction or otherwise"). Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable David S. Doty, United States District Judge for the District of Minnesota.